

# EXHIBIT A

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**COMP**

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CASE NO: A-21-844156-C  
Department 31

Eighth Judicial District Court  
District of Nevada

ROBERTA CHRISTIAN,

Plaintiff,

vs.

NEW SONG LUTHERAN CHURCH,  
INC., a Nevada Nonprofit  
Corporation; and DOE individuals 1  
through 20 and ROE entities 1  
through 20;

Defendants.

Case No.:  
Dept. No.:

**COMPLAINT**

Date of Hearing: N/A  
Time of Hearing: N/A

**Parties**

1. Plaintiff Roberta Christian is a resident of Lake County, Illinois.  
In December of 2019 Roberta Christian was a resident of Clark County,  
Nevada.

1           2.     Defendant New Song Lutheran Church Inc., ("New Song Inc.")  
2 is a Nevada nonprofit corporation. New Song Inc. is located and operates  
3 at 1291 Cornet St., in Henderson Nevada.

4           3.     Defendants, DOES 1 through 10 are individuals and ROE  
5 entities 1 through 10, are entities which owned, operated, supervised,  
6 designed, built, installed, cleaned, or maintained the building and premises  
7 of New Song Inc., and/or owned or controlled the subject area rug or chair  
8 rack at the time relevant hereto and which caused or contributed to  
9 Plaintiff's damages. The true names and capacities of DOE individuals 1  
10 through 10 and ROE entities 1 through 10, are currently unknown to  
11 Plaintiff. Plaintiff will amend this complaint to insert the true names and  
12 capacities of the DOE and ROE Defendants when they are ascertained.  
13

14           4.     Defendants, DOES 11 through 20 are individuals and ROE  
15 entities 11 through 20, are associations, partnerships, limited liability  
16 companies, trusts, corporations, or other entities, which, which may have in  
17 some way caused or contributed to, and/or be subject to liability for,  
18 Plaintiff's damages. The true names and capacities of DOE individuals 11  
19 through 20 and ROE entities 11 through 20 are currently unknown to  
20 Plaintiff. Plaintiff will amend this complaint to insert the true names and  
21 capacities of the DOE and ROE Defendants when they are ascertained.  
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1           5. Defendants are agents, servants, employees, employers, trade  
2 ventures, partners and/or subsidiaries of each other. At the time of the  
3 incident described in this Complaint, Defendants were acting within the  
4 color, purpose, and scope of their relationships, and by reason of their  
5 relationships, Defendants are jointly and severally and/or vicariously  
6 responsible and liable for the acts and omissions of their co-Defendants.  
7

### 8                                   **Jurisdiction and Venue**

9           6. New Song Inc. is present and operates in Clark County  
10 Nevada, therefore, Nevada has jurisdiction over Defendant pursuant to  
11 NRS 14.065.  
12

13           7. The subject incident occurred in Clark County, Nevada,  
14 therefore, venue is proper in the Eighth Judicial District Court pursuant to  
15 Chapter 13 of the Nevada Revised Statutes.  
16

### 17                                   **General Allegations**

18           8. New Song Inc. was formed in August of 2004. New Song Inc.  
19 operates a church and school located at 1291 Cornet St., in Henderson  
20 Nevada. New Song Inc. is affiliated with the Evangelical Lutheran Church  
21 in America.  
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1           9.     Roberta Christian was born May 28, 1944. Since about 2008,  
2 Roberta Christian was a member of the church operated by New Song Inc.,  
3 and worked as a volunteer for New Song Inc.

4           10.    On December 5, 2019, Roberta Christian was lawfully on the  
5 premises of New Song Inc. when Roberta Christian began to walk across  
6 an area rug. Prior to the moment when Roberta Christian began to walk  
7 across the area rug, agents of New Song Inc., working as employees of  
8 and/or volunteers for New Song Inc., had disturbed the area rug and  
9 caused the area rug to bunch up by pushing a loaded folding chair rack  
10 across the area rug, thereby creating a hazardous and unreasonably  
11 dangerous condition. The agents of New Song Inc. disturbed the area rug  
12 to such an extent that the folding chair rack itself was caught in the  
13 bunched-up folds of the area rug.

14           11.    On December 5, 2019, the bunched-up area rug tripped  
15 Roberta Christian as she walked across the area rug causing Roberta  
16 Christian to fall. When Roberta Christian fell, she hit the folding chair rack  
17 and Roberta Christian also struck the ground. The fall caused Roberta  
18 Christian to suffer serious injuries including fractures of the C-2 vertebral  
19 body and the C-2 posterior lamina.

**First Cause of Action  
(Negligence against New Song Inc.)**

12. Plaintiff repeats and realleges every allegation contained in this complaint and incorporates them by reference.

13. Defendant New Song Inc. owed a duty of care to all, including Roberta Christian, to keep the premises of New Song Inc. reasonably safe for use. Defendant New Song Inc. is vicariously liable for the acts or omissions of its agents, including its employees and volunteers.

14. On December 5, 2019, New Song Inc., by and through its agents, breached its duty of care and acted negligently by creating an unreasonably dangerous condition in the form of the bunched-up area rug. Further, New Song Inc., breached its duty of care and acted negligently, by and through its agents, when New Song Inc. did not make safe and/or warn of the unreasonably dangerous condition created by the bunched-up rug. The negligent acts and omissions of New Song Inc., by and through its agents, directly and proximately created an unreasonably dangerous condition which tripped Roberta Christian and causing Roberta Christian to fall and sustain serious injury.

15. As a result of the actions of Defendant(s), and each of them, Roberta Christian incurred injuries to her damage in an amount in excess of fifteen thousand dollars (\$15,000.00).

1           16. As a result of the actions of Defendant(s), and each of them,  
2 Roberta Christian required, and may continue to require medical care and  
3 has incurred and may continue to incur medical expense in the future in an  
4 amount to be proven at trial.

5  
6           17. As a result of the actions of Defendant(s), and each of them,  
7 Roberta Christian endured, and may continue to endure, general damages  
8 including pain and suffering in an amount to be proven at trial.

9  
10           18. As a result of the actions of Defendant(s), and each of them,  
11 Roberta Christian suffered injuries which may be permanent and continuing  
12 to her damage in an amount to be proven at trial.

13           19. As a result of the actions of Defendant(s), and each of them,  
14 Roberta Christian has incurred, and will continue to incur, attorney's fees  
15 and costs in an amount to be proven at trial.  
16

17                           **Second Cause of Action**  
18                   **(Negligent hiring, training, retention and/or supervision –**  
19                           **New Song Inc.)**

20           20. Plaintiff repeats and realleges every allegation contained in this  
21 complaint and incorporates them by reference.

22           21. New Song Inc. had a duty to exercise due care in the selection,  
23 hiring, training, retention, oversight, and supervision of all of its agents  
24 including its employees and/or volunteers, and to ensure that all agents  
25

1 were performing their duties and to ensure that all agents were provided  
2 with adequate safety knowledge and were adequately informed to maintain  
3 the safety of the premises and to avoid creation of an unreasonably  
4 dangerous condition which presented a risk of harm to others, including  
5 Roberta Christian.  
6

7 22. New Song Inc. breached its duty of due care by unreasonable  
8 hire(s), training, retention, oversight, and supervision of its agents which  
9 resulted in Roberta Christian suffering injury and damages as alleged  
10 herein. New Song Inc. breached its duty in various ways including failure  
11 to train or supervise its agents in prevention of unreasonably dangerous  
12 conditions, in how to use and/or move the folded chair rack, in how to  
13 remedy and/or to warn of dangerous conditions and of the proper  
14 procedure to be taken when a New Song Inc. agent creates an  
15 unreasonably dangerous condition on its premises.  
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18 23. As a result of the actions of Defendant(s), and each of them,  
19 Roberta Christian incurred injuries to her damage in an amount in excess  
20 of fifteen thousand dollars (\$15,000.00).  
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1           24. As a result of the actions of Defendant(s), and each of them,  
2 Roberta Christian required, and may continue to require medical care and  
3 has incurred and may continue to incur medical expense in the future in an  
4 amount to be proven at trial.

5           25. As a result of the actions of Defendant(s), and each of them,  
6 Roberta Christian endured, and may continue to endure, general damages  
7 including pain and suffering in an amount to be proven at trial.  
8

9           26. As a result of the actions of Defendant(s), and each of them,  
10 Roberta Christian suffered injuries which may be permanent and continuing  
11 to her damage in an amount to be proven at trial.  
12

13           27. As a result of the actions of Defendant(s), and each of them,  
14 Roberta Christian has incurred, and will continue to incur, attorney's fees  
15 and costs in an amount to be proven at trial.  
16

17                           **Prayer for Relief**

18           WHEREFORE, Plaintiff prays for judgment against Defendant(s), as  
19 follows:  
20

21           1. For general damages in an amount in excess of ten thousand  
22 dollars (\$15,000.00);

23           2. For special damages in an amount to be proven at trial;  
24  
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- 1           3.     For costs of suit and attorney's fees; and,  
2           4.     For such other and further relief as the Court may deem just  
3 and proper.

4           Dated this 16<sup>th</sup> day of November 2021.  
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6  
7                     /s/ James R. Christensen  
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